

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-3424

BEVERLY BEAM,
Appellant
v.

SCOTT DOWNEY; ROGER MORRISON;
DAVID L. GRAYBILL; MICHAEL SWEGER,
Respondents

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

(D.C. No. 01:CV-01-00083)
District Judge: The Honorable James F. McClure, Jr.

Submitted Under Third Circuit LAR 34.1(a)
September 30, 2005

Before: ALITO and AMBRO, Circuit Judges, and
RESTANI*, Judge

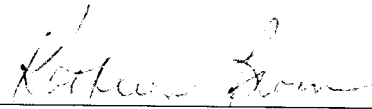
JUDGMENT

*Honorable Jane A. Restani, Chief Judge of the United States Court of International
Trade, sitting by designation.

This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on September 30, 2005.

After review and consideration of all contentions raised by the appellant, it is hereby ORDERED AND ADJUDGED that the judgment of the District Court dated July 29, 2004 is hereby AFFIRMED, and the Appellee's FED. R. APP. P. 38 motion is hereby GRANTED. Costs taxed against Appellant. All of the above are in accordance with this Court.

ATTEST:



Acting Clerk

Dated: October 12, 2005